

years, 27 are of Russian or Chinese design. This is a completely avoidable national security emergency.

Our minerals are wealth, real wealth—worthy of innovation and use for power generation, for medical practices, in university and national laboratory reactors, and for commercial fields of research. We need critical minerals to support and defend the world's largest, technology-based, environmentally friendly economy.

We need 21st century critical mineral independence. To get there, we must disrupt the status quo of the permitting and over-regulation. We need to open modern, technology-driven, environmentally friendly mines.

There is a fast-approaching day when we will no longer be able to count on foreign imports. The necessary sanctions we have placed on Russia highlight the dangers of foreign dependence. Natural resource issues matter to the American people.

The mineral wealth located on vast tracts of federal lands belong to us all. This wealth gives us the ability to use our natural resource endowment to help secure America's critical mineral supply chains. It is essential to our economy, independence, and safety that this nation secure its critical mineral supply chains.

I yield the floor.

#### NOMINATION OF KAI N. SCOTT

Mr. DURBIN. Mr. President, today, the Senate will vote to confirm Judge Kai Scott to the U.S. District Court for the Eastern District of Pennsylvania.

A native of Philadelphia, Judge Scott earned her J.D. from West Virginia University College of Law after receiving her B.A. from Hampton University. After graduating from law school, she clerked for 2 years for the Honorable Donald Poorman of the Pennsylvania Department of Labor and Industry, Bureau of Workers' Compensation. Judge Scott began her legal career as a public defender, serving at both the State and Federal levels for 18 years, including 5 years leading the trial unit at the Federal Community Defender Office for the Eastern District of Pennsylvania. During her time in practice, she tried more than 160 cases to verdict or judgment. Since 2016, Judge Scott has served as a judge in the Criminal Trial Division of the Philadelphia Court of Common Pleas. In that time, she has authored 60 opinions and presided over 600 trials, including 120 jury trials.

With nearly two decades of litigation experience and 6 years of judicial experience, Judge Scott has been rated as "well qualified" for the Eastern District of Pennsylvania by the American Bar Association. She also enjoys the strong bipartisan support of Senators CASEY and TOOMEY, and I hope my colleagues will follow their lead in supporting this highly qualified nominee.

Mr. TUBERVILLE. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. KING. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### VOTE ON SCOTT NOMINATION

The question is, Will the Senate advise and consent to the Scott nomination?

Mr. KING. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Illinois (Ms. DUCKWORTH), the Senator from Colorado (Mr. HICKENLOOPER), the Senator from Virginia (Mr. KAINE), the Senator from Hawaii (Mr. SCHATZ), the Senator from Virginia (Mr. WARNER), and the Senator from Georgia (Mr. WARNOCK) are necessarily absent.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Texas (Mr. CRUZ) and the Senator from Wisconsin (Mr. JOHNSON).

The result was announced—yeas 50, nays 42, as follows:

[Rollcall Vote No. 380 Ex.]

#### YEAS—50

Baldwin	Hassan	Peters
Bennet	Heinrich	Reed
Blumenthal	Hirono	Rosen
Blunt	Kelly	Sanders
Booker	King	Schumer
Brown	Klobuchar	Shaheen
Cantwell	Leahy	Sinema
Cardin	Lujan	Smith
Carper	Manchin	Stabenow
Casey	Markey	Tester
Collins	Menendez	Tillis
Coons	Merkley	Toomey
Cortez Masto	Murkowski	Van Hollen
Durbin	Murphy	Warren
Feinstein	Murray	Whitehouse
Gillibrand	Ossoff	Wyden
Graham	Padilla	

#### NAYS—42

Barrasso	Grassley	Portman
Blackburn	Hagerty	Risch
Boozman	Hawley	Romney
Braun	Hoeven	Rounds
Burr	Hyde-Smith	Rubio
Capito	Inhofe	Sasse
Cassidy	Kennedy	Scott (FL)
Cornyn	Lankford	Scott (SC)
Cotton	Lee	Shelby
Cramer	Lummis	Sullivan
Crapo	Marshall	Thune
Daines	McConnell	Tuberville
Ernst	Moran	Wicker
Fischer	Paul	Young

#### NOT VOTING—8

Cruz	Johnson	Warner
Duckworth	Kaine	Warnock
Hickenlooper	Schatz	

The nomination was confirmed.

(Ms. SMITH assumed the Chair.)

The PRESIDING OFFICER (Ms. ROSEN). The Senator from Delaware.

Mr. COONS. Madam President, I ask unanimous consent that the Senate recess following the vote on the Murphy nomination until 4:30 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

Under the previous order, the motion to reconsider is considered made and laid upon the table, and the President

will be immediately notified of the Senate's action.

#### NOMINATION OF JOHN FRANK MURPHY

Mr. DURBIN. Madam President, today, the Senate will vote to confirm John Frank Murphy to the U.S. District Court for the Eastern District of Pennsylvania.

Mr. Murphy's distinguished legal career will make him an asset on the Federal bench. He received a B.S. from Cornell University, a Ph.D. from the California Institute of Technology, and a J.D. from Harvard Law School before clerking for Judge Kimberly A. Moore on the U.S. Court of Appeals for the Federal Circuit.

In private practice, Mr. Murphy has focused on intellectual property and patent litigation. He has worked on litigation in Federal courts, International Trade Commission investigations, and contested proceedings at the U.S. Patent and Trademark Office. In addition to his IP and patent practice, Mr. Murphy has dedicated a significant amount of time to conducting pro bono work for the Eastern District of Pennsylvania's Prisoner Civil Rights Program. Mr. Murphy has been rated unanimously "well qualified" by the American Bar Association, and he has bipartisan support from his home State senators, Mr. CASEY and Mr. TOOMEY.

Mr. Murphy's technical expertise and strong background in IP and patent law will be an asset to the district court. I support his nomination and urge my colleagues to do the same.

#### EXECUTIVE CALENDAR

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of the Murphy nomination, which the clerk will report.

The senior assistant legislative clerk read the nomination of John Frank Murphy, of Pennsylvania, to be United States District Judge for the Eastern District of Pennsylvania.

#### VOTE ON MURPHY NOMINATION

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the Murphy nomination?

Mr. COONS. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Illinois (Ms. DUCKWORTH), the Senator from Colorado (Mr. HICKENLOOPER), the Senator from Virginia (Mr. KAINE), the Senator from Vermont (Mr. SANDERS), the Senator from Hawaii (Mr. SCHATZ), the Senator from Virginia (Mr. WARNER), and the Senator from Georgia (Mr. WARNOCK) are necessarily absent.

Mr. THUNE. The following Senators are necessarily absent: the Senator

from Texas (Mr. CRUZ) and the Senator from Wisconsin (Mr. JOHNSON).

The result was announced—yeas 63, nays 28, as follows:

[Rollcall Vote No. 381 Ex.]

#### YEAS—63

Baldwin	Grassley	Peters
Bennet	Hassan	Portman
Blackburn	Heinrich	Reed
Blumenthal	Hirono	Romney
Blunt	Hyde-Smith	Rosen
Booker	Kelly	Rounds
Brown	Kennedy	Sasse
Burr	King	Schumer
Cantwell	Klobuchar	Shaheen
Capito	Leahy	Sinema
Cardin	Lujan	Smith
Carper	Manchin	Stabenow
Casey	Markey	Tester
Collins	McConnell	Tillis
Coons	Menendez	Toomey
Cornyn	Merkley	Van Hollen
Cortez Masto	Murkowski	Warren
Durbin	Murphy	Whitehouse
Feinstein	Murray	Wicker
Gillibrand	Ossoff	Wyden
Graham	Padilla	Young

#### NAYS—28

Barrasso	Hagerty	Risch
Boozman	Hawley	Rubio
Braun	Hoeben	Scott (FL)
Cassidy	Inhofe	Scott (SC)
Cotton	Lankford	Shelby
Cramer	Lee	Sullivan
Crapo	Lummis	Thune
Daines	Marshall	Tuberville
Ernst	Moran	
Fischer	Paul	

#### NOT VOTING—9

Cruz	Johnson	Schatz
Duckworth	Kaine	Warner
Hickenlooper	Sanders	Wernick

The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, the motion to reconsider is considered made and laid upon the table, and the President will be immediately notified of the Senate's action.

#### RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 4:30 p.m.

Thereupon, the Senate, at 2:58 p.m., recessed until 4:30 p.m. and reassembled when called to order by the Presiding Officer (Ms. BALDWIN).

#### EXECUTIVE CALENDAR—Continued

The PRESIDING OFFICER. The senior Senator from Texas.

#### BORDER SECURITY

Mr. CORNYN. Madam President, yesterday, President Biden traveled to Phoenix, AZ, to visit the site of a new semiconductor manufacturing plant.

I am a proud proponent of domestic semiconductor manufacturing because it has become a matter of economic and national security, and it enjoys broad bipartisan support here in the Senate through the CHIPS and Science Act.

It is exciting to see the sort of announcements that we were seeing in Arizona and these new chipmaking investments on American soil. But it is hardly the most pressing or most urgent matter on the minds of Arizonans or Texans or any other border State

communities as well as folks across the country.

It is only about 150 miles from Phoenix to the United States-Mexico border, which has been willfully neglected by the Biden administration.

Under President Biden's administration, we have broken one record after another when it comes to illegal immigration at the southern border, and the system is now near its breaking point with the expiration of title 42, which is the public health title which has given the Border Patrol the authority to repel people coming across the border—some of them, at least—using that tool. But when that goes away, Border Patrol, absent any change in administration policy, will not be able to return those individuals—mainly adult males—back across the border for illegally entering the United States.

So despite the President getting on Air Force One at Andrews Air Force Base, flying to Phoenix, AZ, a border State, the President's trip did not include a short trip and visit to the border. After all, the President has pretty good transportation. He has got Air Force One. Can you imagine? It would just take a quick hop to the border to give the President the opportunity to learn because he has not visited the border once since he took office.

He could have done what I have done and what other Members of the Senate have done when we visited the border. He could have asked the Border Patrol agents to share their challenges, ask what he could do to help.

He could have asked what can the Federal Government do to make your job easier in order to address this crisis.

He could have talked to Customs and Border Protection Office of Field Operation officers about their efforts to interdict the drugs that took the life of 108,000 Americans last year alone, virtually all of which comes across the southern border.

He could have just simply said thank you, thank you for your service to the countless men and women who are on the frontlines of this crisis each and every day.

Unfortunately, President Biden couldn't be bothered to make that trip.

As he was leaving Washington yesterday, a reporter asked the President why he would visit Arizona, a border State, and not go to the border.

The President responded:

Because there are more important things going on.

Talk about a slap in the face to every single person who is troubled by what is happening at the southern border.

Every day, migrants are being exploited by people who care nothing about their welfare but view them simply as a commodity to make money. The stories of the abuse of migrants who take the long and dangerous trip from their home across the southern border are legion. The President could have learned more about that and expressed concern and say: You know,

what can we do to discourage people from making that long and dangerous trip into the United States and being subjected to sexual assault and other forms of abuse?

He could have asked about the fentanyl, the synthetic opioids, and other dangerous drugs that are coming into our country and killing innocent people in our communities. We have had a number of teenage children, schoolchildren, killed when they consumed a pill that they thought was maybe a prescription drug like Xanax or Percocet, which was contaminated with fentanyl. It just takes a pencil lead portion of fentanyl to kill you. Unfortunately, that has been happening because of the border crisis and the drugs flowing across the southern border.

The cartels and criminal organizations are getting rich off the trail of death and destruction that they have created. But let it be known: President Joe Biden thinks there are more important things to do.

That is more outrageous than disappointing, but it is really both. It is outrageous and disappointing to hear the President of the United States admit this outright. But as dangerous, outrageous, and disappointing as it is to hear him say it, we really shouldn't be surprised by his inaction when it comes to addressing this crisis.

For nearly 2 years, President Biden and his administration have ignored the crisis at the border so he refuses to visit. You know, he might just learn something. He might find out that this is not about root causes, which is what Secretary Blinken and others, Vice President HARRIS, have said. They think illegal immigration is a result of root causes.

Well, there is a component of that—people experiencing violence or poverty in their home country who want to come to the United States—but it is also about drug smugglers. It is also about criminals who have been deported for endangering Americans, and yet they come back across the border to do it again and again.

So the President might have actually learned something if he had just taken a few minutes to talk to the people who work and live on the border.

So he refuses to visit; he avoids talking about it; he acts like there is nothing wrong when, in fact, we are experiencing an unprecedented humanitarian and security crisis.

Since President Biden took office, U.S. Customs and Border Protection has encountered more than 4 million—4 million—migrants at the southern border. During the full 8 years of the Obama administration, Customs and Border Protection didn't see that many migrants. In 2 years, we have seen more than they saw in 8 years during the Obama administration.

President Biden's policies have not only tolerated this situation, it has actually made it worse and encouraged more migrants to make the trip to our